



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,761	01/21/2004	Stephanie Marie Law	06005/39297	2885
4743	7590	12/12/2005	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			KRISHNAMURTHY, RAMESH	
			ART UNIT	PAPER NUMBER
			3753	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

e

Office Action Summary	Application No.	Applicant(s)	
	10/761,761	LAW, STEPHANIE MARIE	
	Examiner	Art Unit	
	Ramesh Krishnamurthy	3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,5,6,8,9,10,11,12,13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3753

This office action is responsive to amendment filed 09/19/05.

Claims 1, 3 – 6 and 8 – 13 are pending.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 – 6 and 8 - 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yonnet (GB 2,252,848 A).

Yonnet discloses a pressure loaded pilot valve system (Figure 1, for example) for a regulator valve, comprising:

A regulator valve (14) connecting an inlet line carrying fluid at an inlet pressure to an outlet line carrying fluid at an outlet delivery pressure;

A servo control assembly (28);

A pilot valve assembly (18) that has a spring-to-close configuration;

A supply line (27) connected to the servo control assembly, carrying fluid at a supply pressure;

A pilot loading pressure line (29) connecting the servo control valve assembly to the pilot valve assembly, carrying fluid at a pilot loading pressure; and

An exhaust line (11) connecting the servo control valve assembly to the outlet line, carrying fluid at an exhaust pressure.

A supply pressure valve (56) and an exhaust pressure valve (58) are included and are connected to an electronic control unit (connected to a memory (54), interface (35, 37)). A loading pressure transducer is included, as well (page 8, lines 13 – 18).

The disclosure of Yonnet (page 6, line 22 – page 7, line 7; for example together with Fig. 1) clearly suggests that the pilot valve (18) includes plug connected to a diaphragm and attached to a puller post since such a configuration is conventional to a diaphragm operated, spring-biased valve.

It is noted that the arrangement disclosed by Yonnet necessarily performs the method recited in claims 11 and 12 in its usual and normal operation.

3. Claim 13 is rejected under 35 U.S.C. 102(b) as anticipated by Yonnet (GB 2,252,848 A) as set forth above or, in the alternative, under 35 U.S.C. 103(a) as obvious over Yonnet (GB 2,252,848 A) in view of Schmidt (US 4,084,539).

Yonnet discloses a pilot valve (18) that is a diaphragm operated and spring-biased, with the delivered pressure determined by the spring setting of the pilot valve. It is believed that spring bias is adjustable via a stop-nut as is conventional in the art.

However, should it be determined that Yonnet does not include such a stop-nut for adjusting the spring bias, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided such a stop nut for the purpose of providing means to adjust the spring bias, as evident from the disclosure of Schmidt (see element (62) in the pilot valve (14) in Fig. 1).

Response to Arguments

4. Applicant's arguments filed 09/19/05 have been fully considered but they are not persuasive. Applicant's argument that Yonnet (GB 2,252,848) does not disclose a pilot valve having a spring to close configuration is not persuasive since Yonnet clearly states on page 6, lines 22 – 25 that the normal spring bias of the governor (18) i.e. pilot valve (18) is to tend to restrict flow therethrough. This clearly indicates that the pilot valve (18) has a spring to close configuration. Other passages from Yonnet cited by the applicant does not, in any way, suggest otherwise.

5. The rejection set forth above is proper and therefore **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

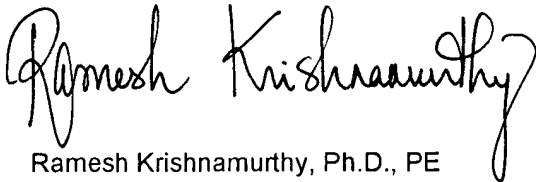
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh Krishnamurthy whose telephone number is

Art Unit: 3753

(571) 272 – 4914. The examiner can normally be reached on Monday - Friday from 10:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen L. Blau, can be reached on (571) 272 – 4406. The fax phone number for the organization where this application or proceeding is assigned is (571) 273 – 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Ramesh Krishnamurthy". The signature is fluid and cursive, with the first name "Ramesh" and last name "Krishnamurthy" clearly distinguishable.

Ramesh Krishnamurthy, Ph.D., PE
Primary Examiner
Art Unit 3753